

# House File 19

HOUSE FILE \_\_\_\_\_  
BY HUNTER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to restraint requirements for motor vehicle  
2 occupants and making a penalty applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1625HH 83  
5 dea/nh/5

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1 1 Section 1. Section 321.445, subsections 2 and 3, Code  
1 2 2009, are amended to read as follows:  
1 3 2. ~~a.~~ The driver and ~~front seat~~ occupants of a type of  
1 4 motor vehicle that is subject to registration in Iowa, except  
1 5 a motorcycle or a motorized bicycle, shall each wear a  
1 6 properly adjusted and fastened safety belt or safety harness  
1 7 any time the vehicle is in forward motion on a street or  
1 8 highway in this state except that a child under eleven years  
1 9 of age shall be secured as required under section 321.446.  
1 10 ~~b.~~ This subsection does not apply to:  
1 11 ~~a.~~ (1) The driver or ~~front seat~~ occupants of a motor  
1 12 vehicle which is not required to be equipped with safety belts  
1 13 or safety harnesses.  
1 14 ~~b.~~ (2) The driver and ~~front seat~~ occupants of a motor  
1 15 vehicle who are actively engaged in work which requires them  
1 16 to alight from and reenter the vehicle at frequent intervals,  
1 17 providing the vehicle does not exceed twenty-five miles per  
1 18 hour between stops.  
1 19 ~~c.~~ (3) The driver of a motor vehicle while performing  
1 20 duties as a rural letter carrier for the United States postal  
1 21 service. This exemption applies only between the first  
1 22 delivery point after leaving the post office and the last  
1 23 delivery point before returning to the post office.  
1 24 ~~d.~~ (4) Passengers on a bus.  
1 25 ~~e.~~ (5) A person possessing a written certification from a  
1 26 health care provider licensed under chapter 148 or 151 on a  
1 27 form provided by the department that the person is unable to  
1 28 wear a safety belt or safety harness due to physical or  
1 29 medical reasons. The certification shall specify the time  
1 30 period for which the exemption applies. The time period shall  
1 31 not exceed twelve months, at which time a new certification  
1 32 may be issued unless the certifying health care provider is  
1 33 from a United States military facility, in which case the  
1 34 certificate may specify a longer period of time or a permanent  
1 35 exemption.  
2 1 ~~f.~~ (6) ~~Front seat occupants~~ Occupants of an authorized  
2 2 emergency vehicle while they are being transported in an  
2 3 emergency. However, this exemption does not apply to the  
2 4 driver of the authorized emergency vehicle.  
2 5 ~~c.~~ The department, in cooperation with the department of  
2 6 public safety and the department of education, shall establish  
2 7 educational programs to foster compliance with the safety belt  
2 8 and safety harness usage requirements of this subsection.  
2 9 3. The driver and ~~front seat~~ passengers may be each  
2 10 charged separately for improperly used or nonused equipment  
2 11 under subsection 2. The owner of the motor vehicle may be  
2 12 charged for equipment violations under subsection 1.  
2 13 Sec. 2. Section 321.445, subsection 5, Code 2009, is  
2 14 amended to read as follows:  
2 15 5. The department shall adopt rules pursuant to chapter  
2 16 17A providing exceptions from application of subsections 1 and  
2 17 2 for ~~front~~ seats and ~~front seat~~ passengers of motor vehicles  
2 18 owned, leased, rented, or primarily used by persons with  
2 19 physical disabilities who use collapsible wheelchairs.  
2 20

EXPLANATION

2 21 This bill requires the driver and all occupants of a motor  
2 22 vehicle to wear a seat belt or safety harness while the  
2 23 vehicle is in forward motion on a street or highway.  
2 24 Currently, only the driver and front seat passengers are  
2 25 required to wear seat belts or safety harnesses. Restraint  
2 26 requirements do not apply to the driver and occupants of a  
2 27 motor vehicle that is not required to be equipped with seat  
2 28 belts or safety harnesses, persons who are engaged in work  
2 29 that requires frequent stops to exit and reenter the vehicle,  
2 30 letter carriers, bus passengers, persons with a certified  
2 31 physical or medical exemption, and occupants being transported  
2 32 in an emergency vehicle. The department of transportation is  
2 33 required to adopt rules providing exceptions from seat belt  
2 34 requirements for motor vehicles owned, leased, rented, or  
2 35 primarily used by persons who use collapsible wheelchairs.  
3 1 Separate restraint requirements that apply for children under  
3 2 11 years of age are not affected by the bill.  
3 3 A violation of seat belt or restraint requirements is a  
3 4 scheduled violation subject to a fine of \$25. Seat belt and  
3 5 restraint violations are not a factor in establishing grounds  
3 6 for license suspension or identifying a person as a habitual  
3 7 violator.  
3 8 LSB 1625HH 83  
3 9 dea/nh/5